



AGENDA OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY

**REGULAR CC/RDA MEETING
Council Chamber in City Hall
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, NOVEMBER 14, 2001

**Study Session - 3:00 p.m.
Regular Meeting - 7:30 p.m.**

PLEASE NOTE: THE CITY HAS IN EFFECT AN ORDINANCE REGARDING LOBBYING THAT REQUIRES PERSONS BEING PAID TO MAKE A PRESENTATION ON BEHALF OF SOMEONE OTHER THAN THEMSELVES TO DISCLOSE THAT FACT AT THE TIME OF THEIR PRESENTATION, AND, IN SOME INSTANCES, TO REGISTER WITH THE CITY CLERK PRIOR TO APPEARING BEFORE THE CITY COUNCIL, PLANNING COMMISSION OR CITY STAFF.

3:00 P.M.

CALL TO ORDER

- a) Roll Call of City Council/RDA Member(s)
- b) Action to Excuse Absent City Council/RDA Member(s)

PUBLIC COMMENTS

If any person desires to address members of the City Council and/or the Redevelopment Agency Board, this will be the **only opportunity to do so during this Study Session**. Please limit your remarks to 3 minutes. In response to any public comment on an item or matter which **has not been placed on this Agenda** pursuant to Government Code Section 54954.2, members of the City Council/Redevelopment Agency Board may only: **1)** briefly respond to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** take action to direct staff to place a matter of business on a future Agenda. (California Government Code Section 54954)

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STUDY SESSION (Normally, No Action Is Taken On Study Session Items; However, The City Council Does Reserve The Right To Give Specific Policy Direction And To Take Specific Action As Necessary.)

Presentations will be limited to 10 minutes unless other provisions are made in advance.

1. Discussion of Extended Military Leave Policies. (Victor Villasenor) **(Pg. 1)**
2. Skateboard Park Discussion. (Paul Shillcock)
3. Councilmember Reports of Committee Meetings.
4. Review of November 14, 2001, City Council/Redevelopment Agency Board Agendas.
5. City Council/staff Reports and Inquiries Regarding Status of New or Ongoing Projects.
6. Closed Session Urgency Items.

CC/RDA WILL ADJOURN TO CLOSED SESSION



CLOSED SESSION

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1. CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL LITIGATION pursuant to government Code Section 54956.9 Subd. (c).
Number of Potential Cases: Three
2. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (a).
(Toni Eggebraaten)
Case Name: Perez Images, Inc. v. Valley Adult Books
Case Number: INC 023638
3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (a).
(Toni Eggebraaten)
Case Name: Citizens for Clean Air of the Desert v. City of Cathedral City
Case Number: INC 022346
4. PERSONNEL MATTER pursuant to Government Code Section 54957.
Issue for Discussion: Deputy City Clerk
5. PERSONNEL MATTER pursuant to Government Code Section 54957.
Issue for Discussion: **1)** American Federation of State, County, and Municipal Employees, Local 3961(AFSCME); **2)** Cathedral City Police Officers Association (CCPOA); **3)** Cathedral City Professional Firefighters Association (CCPFA); **4)** Cathedral City Police and Fire Management Association (CCPFMA).

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6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Paul Shillcock)
Properties:
Location: Various Parcels South of East Palm Canyon Drive Between Date Palm and Van Fleet APN Nos.: 687-222-004; 687-224-007; 687-225-011; 687-225-017; and 687-221-001.
Negotiating Parties:
Agencies: Redevelopment Agency and BCN Development
Property Owner: Redevelopment Agency
Under Negotiation: Disposition and Development Agreement
7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Susan Moeller)
Property:
Location: North Side of East Palm Canyon Drive West of Monty Hall.
Negotiating Parties:
Agencies: Redevelopment Agency & Palm Canyon Partners
Property Owner: Redevelopment Agency
Under Negotiation: Real Property Negotiations
8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Paul Shillcock)
Property:
Location: Northeast Corner of 30th Avenue and DaVall Drive.
Negotiating Parties:
Agencies: City of Cathedral City & Palm Springs Cemetery District
Property Owner: Palm Springs Cemetery District
Under Negotiation: Acquisition of Property
9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Paul Shillcock)
Property:
Location: Vacant land, consisting of approximately 30-acres fronting on Edom Hill Road (APN 659-180-012).
Negotiating Parties:
Agencies: City of Cathedral City and Glen A. Rasmussen
Property Owner: Glen A. Rasmussen
Under Negotiation: Disposition of Property

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10. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Paul Shillcock)
Property:
Location: North of 30th Avenue; East of Date Palm Drive
APN Nos. 670-372-008 Thru -016
670-373-008 Thru -036
670-060-025
Negotiating Parties:
Agencies: City of Cathedral City and
The Berger Foundation
Property Owner: The Berger Foundation
Under Negotiation: Acquisition of Property
11. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Warren Bradshaw)
Property:
Location: 37170 Van Fleet
Negotiating Parties:
Agencies: Cathedral City Redevelopment Agency &
Ray Snyder
Property Owner: Ray Snyder and Francine Dickson
Under Negotiation: Acquisition of Property
12. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Warren Bradshaw)
Property:
Location: 68823 East Palm Canyon
Negotiating Parties:
Agencies: Cathedral City Redevelopment Agency and
Sam and Vickie Stickles
Property Owner: Sam and Vickie Stickles
Under Negotiation: Property Lease Agreement
13. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Susan Moeller)
Property:
Location: 67116 Mission Drive
Negotiating Parties:
Agencies: Cathedral City Redevelopment Agency and
James Eggart
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Acquisition of Property

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14. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Susan Moeller)

Property:

Location: Southwest and Southeast Corners of West Buddy Rogers at East Palm Canyon Drive.

Negotiating Parties:

Agencies: Cathedral City Redevelopment Agency and SARAC Holding S.A.

Property Owner: Cathedral City Redevelopment Agency

Under Negotiation: Acquisition of Property

RECOMMENDATION: Adopt motion to recess to closed session pursuant to the above noted statutes.

REPORT OF ACTION(S), IF ANY

**CC/RDA WILL ADJOURN TO
REGULAR MEETING AT 7:30 P.M.**



AGENDA OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY

REGULAR CC/RDA MEETING

7:30 P.M.

WEDNESDAY, NOVEMBER 14, 2001

- a) Invocation
- b) Flag Salute

CLOSED SESSION ANNOUNCEMENTS

PUBLIC COMMENTS

During this part of the meeting, the public is invited to address the City Council, and/or the Redevelopment Agency Board on any matter **not on the Agenda** or any item on the **Consent Agenda** by stepping to the lectern and giving his/her name and City of residence for the record. Unless additional time is authorized by the City Council, remarks on agenda items shall be limited to three minutes. **If you wish to speak on an agenda item, please wait to be recognized under that item.**

In response to any public comment on an item or matter which **has not been placed on this Agenda** pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** briefly respond to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** take action to direct staff to place a matter of business on a future Agenda. (California Government Code Section 54954)

AGENDA FINALIZATION

At this time, the City Council and/or the Redevelopment Agency Board may announce any items being pulled from the Agenda or continued to another date.


Urgency Items ("Added Starters"): The Brown Act permits the City Council to take action on any item that does not appear on the Agenda only if 2/3 of the City Council (if all are present) or all members of the Council (if less than all are present) determine there is a need to take immediate action on the item and that the need to take immediate action came to the City Council's attention after the posting of the Agenda.

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COUNCIL COMMENTS

Councilmembers' Comments on Items not on the Agenda.

PRESENTATIONS AND PROCLAMATIONS

-  Certificate of Recognition to the Fiesta Del Cine Steering Committee for their efforts that made the event a tremendous success.
(Councilmember England)

CALL FOR CORRECTIONS/APPROVAL OF MINUTES

Corrections/Approval of Minutes of the Regular City Council/Redevelopment Agency Board Meeting Held on October 24, 2001.

PLEASE NOTE: THE CITY HAS IN EFFECT AN ORDINANCE REGARDING LOBBYING THAT REQUIRES PERSONS BEING PAID TO MAKE A PRESENTATION ON BEHALF OF SOMEONE OTHER THAN THEMSELVES TO DISCLOSE THAT FACT AT THE TIME OF THEIR PRESENTATION, AND, IN SOME INSTANCES, TO REGISTER WITH THE CITY CLERK PRIOR TO APPEARING BEFORE THE CITY COUNCIL, PLANNING COMMISSION OR CITY STAFF.

CONSENT AGENDA

ALL MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE ROLL CALL VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL, THE REDEVELOPMENT AGENCY BOARD, AND/OR THE AUDIENCE REQUEST SPECIFIC ITEMS BE REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION AND/OR ACTION.

- CC/RDA** 1. Receive and File Claims and Demands incurred by the City Council and the Redevelopment Agency Board in the total aggregate sum of \$4,757,939.49 for the month of September, 2001. **(Pg. 1)**
- a. Recommendation: Receive and File
- COUNCIL** 2. An amendment to Chapter 19.16, "Screening of Outdoor Storage and Trash Enclosures" regarding compliance provisions for trash enclosures for non-conforming properties. (Cynthia Kinser) **(2nd Reading) (Pg. 2)**
- a. Recommendation: Waive Further Reading and Adopt Ordinance No. ____
- COUNCIL** 3. A request to amend Ordinance No. 471 regarding the application review procedures for the Rio Vista Village Specific Plan. (Cynthia Kinser) **(2nd Reading) (Pg. 8)**

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- a. Recommendation: Waive Further Reading and Adopt Ordinance No. _____

RDA 4. Approval of purchase of a triplex located at 68765 E Street (APN 687-241-038) for an amount not to exceed \$95,000 (plus buyer's normal closing costs) to be paid from the Redevelopment Agency Affordable Housing Set Aside Fund for the purpose of affordable housing. (Warren Bradshaw) **(Pg. 17)**

- a. Recommendation: Approval

COUNCIL 5. Approval of Final Tract Map 27097-8, acceptance of the dedications made to the City on the Final Map subject to their improvement, and authorization to execute the Subdivision Agreement. (La Posada Development located on the north side of Vista Chino at Avenida Maravilla (Playa Del Sol Development Co., Inc., Subdivider) (Dave Faessel) **(Pg. 19)**

- a. Recommendation: Approval

COUNCIL 6. Proposed Resolution ratifying a Settlement Agreement with Jack D. Janofsky and conditionally accepting the conveyance of real property to the City of Cathedral City. (City Attorney) **(Pg. 23)**

- a. Recommendation: Adopt Resolution No. 2001-_____

PUBLIC HEARINGS:

COUNCIL 7. Appeal by Valley Adult Books, LLC, (Robert Smith and John Smith, Owners) requesting the City Council to over-rule the denial of their application to amend an existing sexually-oriented business license. (Toni Eggebraaten) **(Pg. 29)**

- a. Report by Special Counsel
- b. Public Hearing
- c. Recommendation: Take Appropriate Action

COUNCIL 8. Proposed Resolution to amend specific Plan No. 87-21 to provide greater definition to architectural standards and allow "Desert Modern" architectural themes for buildings bordering Vista Chino Road and Adelina Road, between Horizon Road and Date Palm Drive. (Cynthia Kinser) **(Pg. 45)**

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- a. Report by City Planner
- b. Public Hearing
- c. Recommendation: Adopt Resolution No. 2001-_____

LEGISLATIVE ACTION:

COUNCIL 9. Recommendation to: **1)** Authorize the City Council's SunLine Board Member to vote favorably on the creation of the Sun Electric Generation Project; and, **2)** Approve adding the power of eminent domain to SunLine's Joint Powers Agreement with the provision that eminent domain would be utilized only upon the unanimous consent of the SunLine Board. (Dudley Haines) **(Pg. 49)**

- a. Report by City Administrative Services Director
- b. Public Input
- c. Recommendation: Approval

COUNCIL 10. Authorization to execute a Service Provider Agreement between the City of Cathedral City and the Cathedral City Boys and Girls Club in the amount of \$56,745. (Tony Barton) **(Pg. 77)**

- a. Report by Parks and Recreation Manager
- b. Public Input
- c. Recommendation: Approval

CC/RDA 11. First Quarter Fiscal Year 2001-2002 Budget Review. (Dudley Haines) **(This is a PowerPoint presentation only.)**

- a. Report by Administrative Services Director
- b. Public Input
- c. Recommendation: No Action Required

COUNCIL 12. Approval of preparation and execution of an Agreement between the City and Cornerstone Development, Inc., to reimburse Cornerstone up to \$27,000 for its improvement of the west side of Santoro Drive, north of McCallum Way, using funds in the "Miscellaneous Streets" Account (#8916); and, to approve a budget transfer of \$15,000 from the "ADA Compliance Projects" Account (#8946) to the "Miscellaneous Streets" Account. (Dave Faessel) **(Pg. 93)**

- a. Report by City Engineer
- b. Public Input
- c. Recommendation: Approval

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- RDA** 13. Request to: **1)** Adopt a Proposed Resolution approving the Relocation Plan as prepared by Pacific Relocation Consultants (PRC); and, **2)** Authorize the expenditure of \$274,000 for "Relocation Benefits" from unappropriated Housing Set Aside Funds. (Warren Bradshaw) **(Pg. 98)**
- a. Report by Housing Manager
 - b. Public Input
 - c. Recommendation: Adopt Resolution No. R-_____
- COUNCIL** 14. Authorization of **1)** An extension of the plan-checking and miscellaneous services contract with Berryman & Henigar (B&H); and, **2)** Staff to contract with Hall & Foreman, Inc. to provide engineering and plan-check services for the Rio Vista Community Facilities District (CFD) and all other development review as required. (Dave Faessel) **(Pg. 140)**
- a. Report by City Engineer
 - b. Public Input
 - c. Recommendation: Approval
- COUNCIL** 15. Approval of a Contract Change Order in the Dinah Shore Widening Contract with Granite Corporation, in an amount to be approved by Coachella Valley Association of Governments (CVAG) for pavement rehabilitation and related work, on Dinah Shore Drive, between Date Palm And Cathedral Canyon Drive, and authorize an additional 5% contract contingency to the project. (Dave Faessel) **(Pg. 142)**
- a. Report by City Engineer
 - b. Public Input
 - c. Recommendation: Approval
- RDA** 16. Authorization to release monies in the amount of \$48,245 and any future monies, from Waste Management of the Desert's Claim Management firm of Gallagher Bassett for repairs and fees related to the repair of the IMAX building. (James Cleary) **(Pg. 144)**
- a. Report by Project Manager
 - b. Public Input
 - c. Recommendation: Approval

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RDA 17. Authorization to: **1)** Advertise and call for bids on the rehabilitation of the Agency owned single-family residence located at 67-116 Mission Drive (APN 687-223-001), Cathedral City; and **2)** Temporarily use Dream Homes Revitalization Capital Improvement Program funds not to exceed \$70,000 for rehabilitation of the Officer next Door home at 67-116 Mission Drive, Cathedral City. (Warren Bradshaw) **(Pg. 146)**

- a. Report by Project Manager
- b. Public Input
- c. Recommendation: Approval

COUNCIL 18. Approval of Final Parcel Map No. 29719 (Ritz Carlton Golf Course), accept the dedications made to the City on the final map, and authorize the execution of the performance agreement. (Dave Faessel) **(Pg. 149)**

- a. Report by City Engineer
- b. Public Input
- c. Recommendation: Approval

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.

ADJOURNMENT

To the next regularly scheduled meeting of the City Council/Redevelopment Agency Board
Wednesday, November 28, 2001.

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NOTE TO THE PUBLIC

Agendas and back-up material giving more information on each agenda item, with the staff's recommendations, have been provided to all Councilmembers. These same materials are on display in the main City Hall lobby, in the Police Department lobby, in the lobby outside the Council Chamber, and in the City Clerk's office from the Thursday preceding the regular Council meeting. Staff "recommendations" are only that; the City Council makes its own decisions based on all information provided to them. The Agenda, by itself, can also be reviewed on the City's Web Site at:

www.cathedralcity.gov

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk by phone at (760) 770-0322. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

PLEASE BE ADVISED THAT CITY HALL IS CLOSED EVERY FRIDAY